

Anusree vs State of Kerala

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Court : Kerala

Decided On : Sep-30-2021

Judge : Honourable Mrs. Justice Shircy V.

Appeal No. : Bail Appl./2690/2021

Appellant : Anusree

Respondent : State of Kerala

Judgement :

B.A.NO.2690 of 2021 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE SHIRCY V.
THURSDAY, THE 30TH DAY OF SEPTEMBER 2021 / 8TH ASWINA,
1943 BAIL APPL. NO. 2690 OF 2021 (CRIME NO.21 OF 2021 OF
THIRURANGADI POLICE STATION, MALAPPURAM)
PETITIONER/ACCUSED ANUSREE AGED 27 YEARS ANUSREE , D/O
PAVIHTRAN, ERANGOTTU HOUSE, AGED 27 YEARS, CHETTIPPADI,
THIRURANGADI, MALAPPURAM DISTRICT, KERALA- 676 319.
MALAPPURAM, PIN - 676319 GEORGE BRISTON V.P.PRASANTH
PREEJA V.P. RESPONDENT/ 1 STATE OF KERALA REPRESENTED
BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA ERNAKULAM,

PIN - 682031 2 CHIEF POST MASTER GENERAL KERALA ,KERALA CIRCLE, PMG JUNCTION,THIRUVANANTHAPURAM PIN: 695001 IS IMPEADED AS ADDL R2 AS PER ORDER DATED 28/7/2021 IN CRL MA 1/2021 PUBLIC PROSECUTOR SHRI.P.VIJAYAKUMAR, ASG OF INDIA SREEJA.V-SR.PP, SUVIN.R.MENON- A.S.G.I THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30.09.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:
B.A.NO.2690 of 2021 2

ORDER

Apprehending arrest in connection with Crime No.21 of 2021 of Thirurangadi Police Station registered for the offences punishable under Sections 406, 420 of the Indian Penal Code, the petitioner/accused has moved this application under Section 438 of the Code of Criminal Procedure.

2. The prosecution case in brief is as follows:

The petitioner was working as a Data Entry Operator at Thirurangadi post office on daily wages. She used to collect premium to be deposited in the post office under the Rural Postal Life Insurance Scheme and other payments as entrusted by the Post Master of the said post office. The second accused is the Post Master of the said office. While so, she has misappropriated the money thus collected to the tune of Rs.94,476/- and thereby, committed the aforesaid offences.

3. The second respondent who is the Chief Post Master General,

Kerala has a contention that certain amount was found not tallying with the amount collected by this petitioner and later, she had remitted the amount thus collected in the post office itself. Now the departmental enquiry is proceeding with. B.A.NO.2690 of 2021 3 Considering the nature of the accusation levelled against the petitioner as well the fact that departmental enquiry is progressing so as to verify whether this petitioner has actually misappropriated the amount collected by her while working in the front office as a Data Entry Operator, I think that custodial interrogation may not be required in the case. Such being the case, I am inclined

to grant pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail on executing bond for a

sum of Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum each in the event of arrest by the police in connection with the above crime.

(ii) The petitioner shall appear before the Investigating Officer for interrogation as and when required by him in writing. He shall co- operate with the investigation of the case.

(iii) The petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the

facts of the case so as to dissuade him from disclosing such facts to

the court or to any police officer or tamper with the evidence.

(iv) The petitioner shall not commit any offence while on bail.

B.A.NO.2690 of 2021 4 In case of violation of any of the above conditions, the jurisdictional court is empowered to cancel the bail in accordance with the law.
Sd/- SHIRCY V. smm JUDGE

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